

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

IN RE: NOVANT HEALTH, INC

LEAD Case No. 1:22-cv-00697-CCE-JEP
Consolidated with: 1:22-cv-00700-CCE-JEP;
1:22-cv-00709-CCE-JEP;
1:22-cv-00799-CCE-JEP; and
1:22-cv-00970-CCE-JEP

**PLAINTIFFS' UNOPPOSED MOTION FOR
FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure and this Court's November 6, 2023, Order granting preliminary approval of the class action settlement and notice plan (ECF No. 55) ("Preliminary Approval Order"), Plaintiffs Keith David Allen, Karyn Cook, Daymond Cox, Kevin Curry, Meghan Curry, Dr. Richard Nero, David Novack, Cheryl Taylor, Fernando Valencia, and Natalie Wells-Reyes ("Plaintiffs"), individually and on behalf of others similarly situated, hereby respectfully move this Court to:

1. Grant final approval to the settlement described in the Settlement Agreement and Release ("Settlement Agreement")¹ between Plaintiffs and Novant Health, Inc. ("Defendant") as fair, reasonable, and adequate;
2. Finally certify the Settlement Class pursuant to Rule 23;
3. Finally approve the appointment of Plaintiffs as Class Representatives;

¹ The Settlement Agreement was filed with the Court on October 12, 2023. ECF No. 52-1.

4. Finally approve the appointment of Gary M. Klinger and Scott C. Harris of Milberg Coleman Bryson Phillips Grossman, PLLC as Class Counsel; and

5. Grant Plaintiffs' Motion for an Award of Attorneys' Fees, Reimbursement of Expenses, and Service Awards to Class Representatives filed on March 20, 2024 (ECF No. 60).

This Motion is based upon: (1) this Motion; (2) Plaintiffs' Memorandum of Law in Support of Unopposed Motion for Final Approval of Class Action Settlement; (3) the Declaration of Jordan Turner Regarding Implementation of Notice Program and Verification of Compliance with Notice requirements (ECF No. 63); (4) the Declaration of Gary M. Klinger in Support of Unopposed Motion for Preliminary Approval of Class Action Settlement (ECF No. 52-2); (5) the Joint Declaration of Gary M. Klinger and Scott C. Harris in Support of Plaintiffs' Motion for an Award of Attorneys' Fees, Reimbursement of Expenses, and Service Award to Plaintiffs, filed on March 20, 2024 (ECF No. 61-1); (6) the Settlement Agreement; (7) the Preliminary Approval Order (ECF No. 55); (8) the records, pleadings, and papers filed in this action; and (9) such other documentary and oral evidence or argument as may be presented to the Court at or prior to the hearing of this Motion on June 6, 2024.

For the reasons described in Plaintiffs' memorandum of law in support of this motion, Plaintiffs respectfully request that this Court grant the motion and enter the proposed Order and proposed Judgment.

Dated: May 23, 2024

Respectfully submitted,

/s/ Scott C. Harris

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CERTIFICATE OF SERVICE

I, Scott C. Harris, hereby certify that on May 23, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record via the ECF system.

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